

FILED  
U.S. DISTRICT COURT  
AUGUSTA DIV.

2006 JUL 13 AM 10:45

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
BRUNSWICK DIVISION

CLERK *B. McCarthy*  
SO. DIST. OF GA.

BILLY GUYTON, SR.,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

CIVIL ACTION NO.: CV205-233

(Case No.: CR297-026)

**CERTIFICATION OF APPEALABILITY**

Pursuant to 28 U.S.C. § 2253(c), an appeal may not be taken in this matter unless the Court issues a Certificate of Appealability. This certificate may issue only if Petitioner has made a substantial showing of the denial of a constitutional right. If granted, the certificate must indicate which specific issue or issues satisfy this showing. In accordance with the foregoing, a Certificate of Appealability is hereby **DENIED** as Petitioner has not made a substantial showing of the denial of a constitutional right.

Petitioner's Motion for Appointment of Counsel to assist him on his appeal is also **DENIED**.

SO ORDERED, this 13<sup>th</sup> day of July, 2006.

*Rudolph W. Benge Jr.*  
UNITED STATES DISTRICT JUDGE